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PATENT TRADEMARK OFFICE Atty. Docket: 0004897/ 0512745

# IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: F

Ronald Alan Coffee

; Paper No:

Serial No. 0

09/758,716

: Group Art Unit:

3761

Filed:

January 11, 2001

: Examiner.

Kim M. Lewis

For:

DISPENSING DEVICE AND METHOD FOR FORMING MATERIAL

# REVOCATION AND NEW APPOINTMENT BY ASSIGNEE

Commissioner for Patents P.O. Box 1450 Arlington, VA 22313-1450

Dear Sir:

The undersigned, being Assignee of the entire interest in and to the above application, hereby revokes all former Powers of Attorney and appoints Steven J. Goldstein, Registration No. 28,079; Edwin R. Acheson, Jr., Registration No. 31,808; Stephen R. Albainy-Jenei, Registration No. 41,487; David E. Franklin, Registration No. 39,194; William E. Gallagher, Registration No. 35,145; James M. Kipling, Registration No. 26,287; Kelly P. Moore, Registration No. 48,789; Victor C. Moreno, Registration No. 40,732; Ann G. Robinson, Registration No. 39,820; Ria Farrell Schalnat, Registration No. 47,058; David E. Schmit, Registration No. 28,472; Karlyn A. Schnapp, Registration No. 45,558; Ralph J. Skinkiss, Registration No. 26,105; and Kevin S. Sprecher, Registration No. 42,165; c/o Frost Brown Todd LLC, 2200 PNC Center, 201 East Fifth Street, Cincinnati, Ohio 45202 (513) 651-6800, attorneys, with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent Office connected therewith.

BATTELLE MEMORIAL INSTITUTE

Date\_\_\_\_\_4/30/03

rinted name: Jerome R. Bahlmann Tide: Senior Vice-President and

General Counsel

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PTO/SEL/SE (08-05)
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STATEME	NT UNDER 37 CFR 3.73(b)
Applicant/Patent Owner: Ronald Alan	Coffee
Application No./Patent No.: 09/758,716	Filed/issue Date: January 11, 2001
Entitled: Dispensing Device and M	ethod for Forming Material
Rattelle Memorial Institute .m	Incorporated Charitable Trust under Ohio.
(Name of Assignee)	(Type of Assignee, e.g., corporation, puntnership, university, government agency, etc.)  Non-Profit Law
states that it is:	
1. KX the assignee of the entire right, title, and	
2.   an assignee of less than the entire right The extent (by, percentage) of its owner	rahip interest is
in the patent application/patent identified above	e by virtue of either:
A. ( 3 An assignment from the inventor(s) of the was recorded in the United States Pats which a copy thereof is attached.	he patent application/patent identified above. The assignment int and Trademark Office at Reel, Frame, or for
OR	
assignes as shown below:  1. From: The document was recorded in the	To:
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[ ] Additional documents in the chain	n of title are listed on a supplemental sheet.
[X] Copies of assignments or other documents (NOTE; A separate copy (i.e., the original a must be submitted to Assignment Division recorded in the records of the USPTO. See	essignment document or a true copy of the original document) in accordance with 37 CFR Part 3, if the assignment is to be
The undersigned (whose title is supplied below	) is authorized to act on behalf of the assignee.
<u> 4/36/03</u>	Jerome R. Bahlmann
/ Dat6	Special strated name
	Signature
	Senior Vice-President and General
	Counsel Titts

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### **ELECTROSOLS LIMITED**

AND

BATTELLE (MEMORIAL INSTITUTE)

AGREEMENT FOR THE ASSIGNMENT OF INTELLECTUAL PROPERTY

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THIS AGREEMENT is made on

September 2001

#### BETWEEN:

- (1) ELECTROSOLS LIMITED (registered number 02758543) of 200 Aldersgate Street, London EC1A 4JJ ("ESL"); and
- (2) BATTELLE (MEMORIAL INSTITUTE), a non-stock Ohio corporation (SIC no. 8980), whose principal place of business is at 505 King Avenue, Columbus, Ohio 43201-2693, USA ("BMI").

#### INTRODUCTION:

- A. BMI proposes to enter into the Share Purchase Agreement on 28 September 2001 to acquire, among other things, the entire issued share capital of ESL.
- B. ESL owns certain Intellectual Property relating to electrohydrodynamic technology.
- C. Subject to, and with effect only on completion of the Share Purchase Agreement in accordance with its terms, the parties wish to assign all right, title and interest in the Intellectual Property to BMI pursuant to this Agreement.

#### THE PARTIES AGREE as follows:

- 1. INTERPRETATION
- 1.1 In this Agreement:

"Intellectual Property" means the patents and patent applications listed in Annex A;

"Know-How" means all information, knowledge, experience and data (including, without limitation, that embodied in readable form) in the possession of ESL licensed to BMI and later by assignment of the license to its subsidiary BPT (Battelle Pulmonary Therapeutics a subsidiary of BMI) by ESL in a license agreement dated 29 March 1999 for the Field of Pulmonary Delivery (as defined in that license);

"Pfizer" means Pfizer Limited, a company registered in England (registered number 00526209) and whose registered office is 261 Ramsgate Road, Sandwich, Kent CT13 9NJ; and

"Share Purchase Agreement" means the Agreement for the Sale and Purchase of R.A. Coffee Limited and Electrosols Limited between BMI and Ronald Alan Coffee and Russell Michael James Jackson Coffee and Alan Mark Stuart Jackson Coffee, a copy of which is Annex B.

- 1.2 In this Agreement, a reference to a clause, paragraph or schedule, unless the context otherwise requires, is a reference to a clause or paragraph of, or schedule to, this Agreement.
- 1.3 The headings in this Agreement do not affect its interpretation.

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#### 2. ASSIGNMENT OF INTELLECTUAL PROPERTY

Subject to, and with effect only on completion of the Share Purchase Agreement in accordance with its terms, ESL hereby assigns all right, title and interest in the Intellectual Property and Know-How to BMI in consideration of the payment to ESL by BMI of Three Million Six Hundred Thousand United States Dollars (\$3,600,000), representing the parties' best estimate of the current fair market value of the Intellectual Property. The parties may, after the date hereof, agree a change to the price paid if and to the extent that the estimation of the fair market value of the Intellectual Property (at the date of completion of the Share Purchase Agreement) shall subsequently change.

- 3. LICENCE-BACK TO ESL FOR THE PURPOSE OF ESL'S PFIZER OBLIGATIONS
- 3.1 BMI acknowledges that at the date of this Agreement ESL has granted Pfizer certain rights, including licence options, in respect of the Intellectual Property and Know-How.
- 3.2 BMI undertakes to license-back the Intellectual Property and Know-How to ESL under reasonable terms and conditions to be negotiated in good faith to the extent necessary to allow ESL to fulfil its obligations to Pfizer (If any) in respect of the Intellectual Property.
- 4. GOVERNING LAW AND JURISDICTION

This Agreement is governed by English law.

#### 5. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which when executed and delivered is an original and all of which together evidence the same agreement.

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)

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**EXECUTED** by the parties:

Signed by

for and on behalf of

ELECTROSOLS LIMITED )

Signature

RICHARD C. ADAMS -- DIRECTOR

Signature

RICHARD D. ROSEN -- DIRECTOR AND SECRETARY

Signed by

for and on behalf of

**BATTELLE (MEMORIAL** 

INSTITUTE)

Signature

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### ANNEX A

(Intellectual Property)

[SCHEDULE OF ELECTROSOLS PATENTS AND APPLICATIONS LICENSED TO BPT AS AT 26 SEPTEMBER 2001]

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WILES	200	MIXEK	MONACO	11/28/1980	94900929.4	6719BD	11/26/2013	┰-	-		PLANTE CATINET
WACER   PORTICOAL	33500	MIXER	NETHERLANDS	11/26/1003	A SCOUNDIA	RP10en	4 100 2042	┰	100000		Active Granted
WACER   WACE	980	MIXER	PORTUGAL	1108/1893	A GAGANOZO A	87 488A	1 1707013	7	11/26/2001		Active Grented
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WACER   WACER   WATTER MANGOLM   1128/1983   1128/2013   1128/20	3830	MIXER	SWEDEN	41.00M004	- CANADA	20170	TUZ6ZUT3	7	_		Active Granted
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NET PLANCE   11/22/1903   11/22/1904   11/	88	MIXER	NEW YEAR AND	11/28/1883	937490	197095	11/29/2013	08/23/2000	11/29/2003		Active Granted
WICER	986	ZETA PUMP	MEN 25 ALD	2000000	1/1002	258174	11282013	08/12/1997	11/26/2003		Adive Granted
MIXER	3960	MIXER	SOUTH ACTION	TI/ZG/1993	314,209	314209	11/26/2013	9881/1/90	11/26/2003		Active Citator
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MAKER   HONG KONG	7967	UKER	INITIALIA INITIALIA	11/26/1983	2251398	718118	11,726,22013	07/20/2000			Adlan Garte
WAKER   WAKE	2965	MYER	UNITED STATES	11(20/1820	06/635676	8106877	11/28/2013	08/22/2000			Actine Grante
INDUCTION CHARGEOISCHANGE	29	HAXER	MUNG NOWG	CSSLAZAL	98113502.7	HK10(2301	11/26/2013	0002/60/90			Active Grante
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INDUCTION CHARGEDISCHARGE   AUSTRALIA   1272/1893   5708/184   684735   1272/2013   0473/1993   1272/2001   1272/1998   1272/2003   1272/1998   1272/2003   1272/1998   1272/2003   1272/1998   1272/2003   1272/1998   1272/2013   0472	72	NOUCTION CHARGE DISCUSSION	1000	7777	BUNKSH40-B					12/22/2002	Active Panding
INDUCTION CHARGEDISCHARGE   LAPAN   1272/1993   514659/1994   1272/2013   12	22	INDUCTION CHARGE DISCHARGE	ALISTONIA	2000	2152381					12/22/2002	Active Pending
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5235050	FIBRE COMMINUTION BITE	SOUTH AFRICA	1003//2004	1977/30 1977/81	0677443	2000000	7	-	DAZBAZIOZ	Active Pending
5235051	FIBRE COMMINATION SITE	ALESTRALIA	WITH A SOOK	SOLEGING	SOUTH THE PERSON	0.02//2/01	-	_	_	Active Granted
5235052	FIBRE COMMUTION RITE	BOA7!	W/40/1820	CEARCES	594224	_	96019080		03/28/1989	Active Granted
5735053	FIRRE COMMENTEN SITE	101100	02120	CRS/DCM4	FB20/235-0	03/28/2010	01/25/2000	03/28/2002		Active Granted
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2735058	FIBRE COMMUTION SITE	KOREA (SOUTH	DS/28/19RS	70472(000						ACOVE PERIODS
5235059	FIBRE COMMINITION SITE	MEXICO	MANAMOR	47770						Active Pending
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4714082	Service Assurance Service	NOKWAT	CAZE/LEBS	96,412					03/28/2002	Active Pending
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K914na7	CIONE CARONINA BITE	UNITED STATES	03/26/1895	06/45/077	5655517	08/29/2016	08/12/1897	_		Action Country
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203000	PIEKE COMMINDIACIN SITE	HONG KONG	2001/82720	99113504.5						1
8806876	FIBRE COMMENDATION SITE	PCT	03728/1985	EP95501163						COUNTY PERSON
922320	ION BOMBAROMENT DISCHARGE	BELGIUM	03/28/1995	95915630.4	752918	03/28/2014	06/112/1000	CONTRACTOR OF		
3235230	IOM BOMBARDMENT DISCHARGE	EPC	03/28/1995	1850 16830.4			08/02/1000			Votes Ciliano
MXCCXC	ION BOMBAROMENT DISCHARGE	FRANCE	103/28/1995	95915830.4	752918	SINCARCIEN	08/03/1000	0000000		
5235230	ION BOMBARDMENT DISCHARGE	GERMANY	03/25/1995	95915830.4	762918	SIDER	CE/T7/4000	707/07/50		ACING Granted
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6235250	ION BOMBARDMENT DISCHARGE	UNITED STATES	DAY AMBOX	CR.718.41	604 3614	200000		7779750		Active Granted
6235231	ION BOMBAROMENT DISCHARGE	MADAN	1001/0010	COACTO AND A	100100	C107/57/80	OBALVE ZAN	2002/62/50		Active Granted
523525	ION BOMBARDMENT DISCHARGE	PCT	CARL BANC	COST 107 107 2						Active Pending
0545525	MOCEN WITH PARTIAL DISCHARGE	EPC.	AKPICH 004	GEOTOPOE						Firshed
5235450	MIXER WITH PARTIAL DISCHARGE	LIMITED STATES	OKOKHOOK	CEDATA CONTRACT	959770				05/26/2002	Active Pending
6235451	MAKER WITH PARTIAL DISCHARGE		OCDENGOS.	20071000	1228	9102/92/20	06/28/19899	12/29/2002		Active Granted
88 PS CZS	MEXER WITH PARTIAL DISCHARGE		OCOCCO DE	200 1930						Active Pending
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5236830	ASTRY DISPENSING DEVICE	FBC	AND THE PARTY	P. 10000176	275/850	08/08/2017	08/08/2001	08/08/2002		Active Granted
5236650	MSTIN DISPENSING DEVICE	LIMITED STATES	DOM I LINO	7 49/B5808					20027/0/80	Active Pending
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5236856	ASTIN PROPENATARIO DEVICE	PI ISOIA	- [	862200						Active Pending
42 NERCA	ACTIN PRESENEND DOANS	AUSSIN PROPERTY		2000106031						Active Personal
		CHINA PEOPLES REP OF	06/07/1898	86610059.2					08/07/2002	Active Pending

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8032703	HAND HELD END SPRAYER	IRELAND	(01/22/1982	140.82	5240e	TO AND ALL		AD DEP LEMBER 200		
8032703	HAND HELD EHO SPRAYER	JAPAN	(MOLINGA)	4 0 20 Z A 2	32400	01/2/2/002	UZ/03/1988		<b>∀</b>	Active Grentled
9032703	HAND HELD END SPRAYER	KOREA (SOUTH)	02004000	1060304 450783	10/4/55	02/08/2002	06/25/1982	1	¥	Active Granted
9032703	HAND HELD EHD SPRAYER	NEW ZEAL AND	04170F300A	32000	70320	02/08/2002	08/29/1989	3 04/12/2002	4	Acthe Granted
9032703	HAND HELD END SPRAYER	Office resident	700 0700	2000	198568	01/26/2002	03/13/1595	15		Action Company
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OCC 27m2	UAND INTO PHIS SECTION	UNITED KINGDOM	01/16/1982	6201320.2	2092478	01/18/2002	108/01/1084			STATE CARLES
30.00	MANU AELLI EHID SPRAYER	UNITED STATES	02201/1982	344719	4470550	COM LONG	7501/31/00		₹	ACTIVE Granted
W. 25.70	END PUMP WITH CONSTRICTION	AUSTRIA	D7M2M9R3	REPORTAL	E36374	2001100	4	7	₹	Active Gravited
9032704	EHD PUMP WITH CONSTRICTION	BELGIUM	MP.M.9/4 GBP3	TO THE PERSON NAMED IN COLUMN TO THE		U//18/2005	7	_		Active Granted
9022704	EHD PUMP WITH CONSTRUCTION	CANADA	001/2/1000	100000	102713	07/12/2000	-	07/12/2002	3	Active Grented
7012106	CHO PULID WITH CONCERNICATION	CANAL OF THE PROPERTY OF THE P	DOMENT BOT	#4727 #	1200067	08/03/2003	02/18/1969			
DATE:	CLO OF WITH CONSTRUCTION	UENWARK	08/22/1963	123627	1157392	08/72/2003	+=	CARPS PARA		
5 6	ETO PORT THIS COMBINED IN	FRANCE	07/12/1983	83304045.4	E0102713	MANAGE MANAGEMENT	Constant Constant	~		ACINE CALMED
MARK!	EMD PUMP WITH CONSTRICTION	GERMANY	107/12/1983	PANANCA.	1016770	07110000	001 ON	т	¥	Active Granted
9052704	END PUMP WITH CONSTRICTION	GREECE	AAVANIBA?	1200	20070	חירוטיים	1861/2N/20	~	¥	Active Granted
9032704	EHD PUMP WITH CONSTRICTION	IREI AND	OVA BANGES	1625	Š	08/16/200	M81/12/00	_	PV.	Active Granted
<b>3032764</b>	END PUMP WITH CONSTRUCTION	TAIV	2010110	20/0/01	34324	07/1/8/2003	12/13/1986	07/H&/2002	3	Active Granted
9032704	END PUMP WITH CONSTRUCTION	METUCOL AND	0//12/1/03	DESCHOALS.A	102713	07/K2/2003	09/02/1987	07/12/2002		And Control
9032704	ELED PUNP WITH CONSTONERS	SOAIN.	TOMA TOTAL	033040K5.4	102713	07/1/2/2003	CONOZ/1887	07/12/2002	8	A Control of the Cont
9032704	FUD PLACE WITH CARGING TOTAL	NIC.O	08/24/1983	525132	525132	11/23/2004	117271884	11/23/2001		
AM227AV	CLO MEN WITH CONSTRUCTION	OLYM OLYM	10/24/1984	827178	537178	05/06/2005	Demorran	CHANG SAME		
2000	CHO TOWN MICH CONSTRUCTION	SWEDEN	07/12/1983	833040£54	1102713	ATT STATE	Normal St	The state of the s	2	
5	END PUMP WITH CONSTRUCTION	SWITZERLAND	07712/1983	83204045.4	100743	A STATE OF THE STA		OWI COUNTY	2	Active Granted
NO NOT	EHD PUMP WITH CONSTRICTION	UNITED KINGDOM	107/12/10k3	ANTALK A	5 VZC01	07417000	) Parl Consol	0/7/2/2002	¥	Active Granted
M22704	EHD PUMP WITH CONSTRICTION	LIMITED STATES	09/03/1984	974167	185465	0/// 0/00/08	OSPICOTIONS /	01/12/2002	Z	Active Granted
9512705	GAS PLOW SPACE CHARGE INHIBIT	AUSTRIA	(77/10/10Pe	86°454693	SOMO!	SOCK TANKS	01/06/1887		Act	Active Granded
8032705	GAS FLOW SPACE CHARGE INHIBIT	BRAZIL	MINIORA	Discovers of	CO ISS	US/18/2008		02/18/2002	Y	Active Granted
9052705	GAS FLOW SPACE CHARGE INHIBIT	CAWADA	Windham.	ENCOUNT OF	1 100000 / 0-9	02/18/2001	12/26/1990		3	Exphas
9022705	GAS FLOW SPACE CHARGE INHIBIT	CZECH REPUBLIC	WHEN 1900	017710	1244280	02/18/2008	11/08/1986		3	Active Granted
9002706	GAS FLOW SPACE CHARGE INHIBIT	DENMADIK	000 FE 1700	2000	280813	02/18/2006	02/27/1998		2	Active Granted
9032705	GAS FLOW SPACE CHARGE INHIBIT	FRANCE	2001101100	8///8	172093	02/19/2006	00020110		3	Action Grande
9032708	GAS FLOW SPACE CHARGE INHABIT	CEDIALIN	BALANCE CONTRACTOR	66301173	E0130348	02/19/2008	0661/10/10	02/19/2002	3	Action Country
<b>S0/27.08</b>	GAS FLOW SPACE CHARGE NUMBER	NO VOLUMBA AND AND AND AND AND AND AND AND AND AN	200	11000	P3470012.6	02/19/2006	0661/20/20	02/18/2002	1	
9032709	GAS FLOW SPACE CHARGE INHIBIT	TABAN	027//1888	666/68	206093	02/17/2008	0527/1093	02/17/2002	3	
8022208	GAS P. OW SPACE CLABOC INCOME	NAV PLA	CONT. MECO	9	2089530	9002/61/20	BOOL FCD GO	HOYE COM		
9022708	GAS FLOW YORCE CUARGE INCIDEN	NEW ZEALAND	02/17/1988		215162	02/11/2006	03228/1920	02/17/2002		
9032705	GAS EI OW SDACE CUADOS INMIRIS	SLUVAN REPUBLIC	02/18/1988	86	276556	0271872008	OSM BM ROT	DAY ROOM		
amo me	SAS FI OUT SPACE CANAGE INVISE	SOUTH APPLICA	02/17/1996	181 HBS	86/1187	9UV4/1/20	Dept/scon	0.074 3750000	₹.	
	CAS FLOW SPACE CAMPRICE INHIBIT	SWEDEN	02/18/1986	66301173	193048	10000V	2007	S. C. C. C.	ğ	ACDIO Granted
COLUMN	GAS HOW SPACE CHARGE INHIBIT	UNITED KINGDOM	CO/19MOSA	MEN 1177	102270	0007000		18/200Z	2	Active Granted
W02705	GAS PLOW 8PACE CHARGE INHIBIT	UNITED STATES	DYTAMORA	A TOUTY	100.00	9002/11/20		02/19/2002	7	Achie Granted
9022706	EHD LINEAR MOZER NOZZLE	AUSTRALIA	12H 2H006		1,0003	25/16/2008	00/22/1988		7	Achie Granted
9032706	EHO LINEAR MOKER NOZZLE	ALISTRIA	0001 771 770		962536	02/12/2006	06/26/1990	02/12/2002	\$	Action Granted
90,7706	END LINEAR MIXER NOZZLE	REIGHM	Della De	T	E110504	02/19/2008	<b>08/31/1894</b>	02/18/2002	1	Action Const.
9072106	END LINEAR MIXER NOZZI E	BOATH	100 I W 100	7	194074	02/19/2006	1981/16/00	02/19/2002	1	1
9022708	EHO LINEAR MIXER MOZZI C	CANADA	201/201/202	2	PI8600878-7	02/18/2001	12/28/1890			
9022708	END LINEAR MYFD AND 21 E	CANAL SECTION	02/10/1988		1244290	027872006	11/06/1988			
9032706	EAD I NEAD LIXED LAND I	CAINA PEUPLES REP OF	- 1	8810/308.5	68101306.6	1	02/21/1990			
9022708	END LINEAR MIXER NOTTHE	GEBLANK	ı	3630/174.B		1	1881/1690	02/19/2002		The second
		DENIMENT.	02/18/1986	_	P. PAGGOAR 1		Dary (Moda			CHERT

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OF ELECTROSOLS PATENTS	HUNGARY	IRELAND	SPAEL	ITALY	JAPAN	KOREA (801/TH)	LUXEMBOURG	MEXICO	NETHER AND	PO! AND	SOUTH AFRICA	SPAN	SAFDEN	SWITZERLAND	TAWAN	UNITED KONGOOM	UNITED STATES	USSR	
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